

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1122 be amended to read as follows:

- 1           Page 3, after line 27, begin a new paragraph and insert:  
2           "SECTION 5. IC 35-44-3-5 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) A person, except  
4           as provided in subsection (b), who intentionally flees from:  
5               **(1) lawful detention; or**  
6               **(2) a shelter care facility (as defined in IC 31-9-2-117(b)) if the**  
7               **person is a child receiving care and supervision in the shelter**  
8               **care facility under an order of a juvenile court;**  
9           commits escape, a Class C felony. However, the offense is a Class B  
10          felony if, while committing it, the person draws or uses a deadly  
11          weapon or inflicts bodily injury on another person.  
12          (b) A person who knowingly or intentionally violates a home  
13          detention order or intentionally removes an electronic monitoring  
14          device commits escape, a Class D felony.  
15          (c) A person who knowingly or intentionally fails to return to lawful  
16          detention following temporary leave granted for a specified purpose or  
17          limited period commits failure to return to lawful detention, a Class D  
18          felony. However, the offense is a Class C felony if, while committing

1 it, the person draws or uses a deadly weapon or inflicts bodily injury on  
2 another person.".

(Reference is to HB 1122 as printed January 17, 2008.)

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Representative Pflum